

Governor Committee on Needs & Uses of open spaces. - Mr Fletcher - Chairman (?)

SENATE No. 116

To accompany the petition of Charles Sumner Bird, Jr., and another for the establishment of a division of parks in the Department of Conservation. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Nine.

An Act to establish a Division of Parks in the Department of Conservation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. General Laws, chapter twenty-
2 one, section one, is hereby amended so that said
3 section shall read:—

4 *Section 1.* There shall be a department of
5 conservation, consisting of a division of forestry,
6 a division of fisheries and game, a division of
7 animal industry and a division of parks, each
8 under the charge of a director. The department
9 shall be under the supervision and control of a
10 commissioner of conservation. The directors
11 shall act as an advisory council to the commis-
12 sioner.

1 SECTION 2. General Laws, chapter twenty-
2 one, is further amended by adding the following
3 sections:

4

DIVISION OF PARKS.

5 *Section 11.* The director of division of parks,
6 herein called and to be known as the director of
7 parks, shall be appointed for the term of three
8 years by the governor, with the advice and con-
9 sent of the council. The director shall be qualified
10 by training and experience to perform the duties
11 of his office, and shall, subject to the provisions
12 of section three, receive an annual salary, not
13 exceeding five thousand dollars, as the governor
14 and council determine. He shall act for the com-
15 monwealth in the promotion, extension, care and
16 management of parks, recreational lands and
17 reservations owned by, or under the control of,
18 the commonwealth, and shall discharge such other
19 similar duties as may be imposed upon him by the
20 governor and council. The director shall be al-
21 lowed necessary travelling expenses for himself and
22 his employees incurred in the discharge of duty.

23 *Section 12.* The director may, subject to the
24 approval of the commissioner, appoint and remove
25 such experts, clerical and other assistants as the
26 work of the division may require, and fix their
27 compensation.

28 *Section 13.* The commissioner of conservation,
29 in this chapter called the commissioner, with the
30 approval of the governor and council, may accept,
31 on behalf of the commonwealth, bequests or gifts
32 to be used for the purpose of advancing the recre-
33 ational and conservation interests and policies
34 of the commonwealth, and shall administer the

35 same, in such manner
36 such bequests or gifts,
37 approval of title to be
38 imposed, by the at
39 behalf of the commonw
40 and managed for park
41 tion purposes.

42 *Section 14.* The c
43 annual report of the a

PARKS.

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35 same, in such manner as to carry out the terms of
36 such bequests or gifts, and he may, subject to the
37 approval of title to be conveyed and of terms so
38 imposed, by the attorney general, accept on
39 behalf of the commonwealth gifts of land to be held
40 and managed for park, recreational and conserva-
41 tion purposes.

42 *Section 14.* The commissioner shall make an
43 annual report of the acts of the director of parks.

HOUSE

No. 1011

REPORT

OF THE

JOINT SPECIAL RECESS COMMISSION (KNOWN AS
THE SALISBURY BEACH AND DUXBURY BEACH
RESERVATIONS COMMISSION) ESTABLISHED TO
CONSIDER THE MAINTAINING OF AMPLE
SPACES FOR THE PUBLIC AT SALIS-
BURY BEACH AND AT
DUXBURY BEACH

JANUARY, 1929

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1929

property line of the beach taking encroachments of the three large did not feel that they had as project as they are assessed or not wish to recommend putting business and perhaps cause and unconstitutional by the Supreme Court.

commendations has been estimated by the engineer's report which is

BEACH.

and the parking spaces that and used for reservations, we highly developed with cottages on about all of the we found a long narrow peninsula in an undeveloped state, with no amusements, and without public. The two approaches to the highway at Cox's Corner, and bridge. This leaves the peninsula of the peninsula with but and the only way to go farther is through the Powder Point bridge, which is out of when they reach the beach to turn the bridge to park. The bridge is traffic, and with a line of parked cars is apparent that an extreme improvement is needed at once.

Two approaches, one at the land end of the beach without any public opportunity to use but the beach.

is long and approximately 100 feet wide, fine, clean, sandy beach to the ocean. The area is about

242 acres. The topography and shape of the proposed reservation will give a maximum amount of unexcelled beach for bathing and recreational purposes for a minimum taking, and we are extremely fortunate to have so desirable a beach in its natural state that can be developed for the many citizens of the State, who we believe would use it.

The beach is owned by private interests, and we cannot find that they have ever denied the use of it to the public, but we believe the title should be in the Commonwealth, to assure the public that it will continue to be allowed to enjoy the excellent bathing and recreations that this wonderful beach affords.

We therefore recommend taking for reservation purposes the land shown in the accompanying engineer's report. (See page 19.)

We have recommended the taking of a portion of the marshes because we believe that the beach proper should be kept as near as possible in its natural state, and any buildings to be erected for comfort stations, bath houses or any purpose can be built on the marsh, and if the further demands on the reservation warrant the expansion, the marshes may be filled and furnish additional room.

The principal need of this beach is the building of a road to make the advantages of the beach available. We therefore recommend the repairing of Careswell and Canal streets under the provisions of chapter 90, and continue by building a new road through the center of the beach to the end of the Powder Point bridge, with suitable parking spaces along the beach.

It has been suggested that a boulevard be built across the marsh from the vicinity of Duck Hill to the beach near the Hummock. Such a boulevard is possible. There are no serious engineering problems to be solved. The most serious problem is one of finance, and the probable cost is such that the Commission deemed it advisable to recommend the improvement of the existing approach.

It has been estimated that the recommendations of the Commission can be carried out for \$90,000, as shown in the engineer's report which is appended. (See page 16.)

We believe that further improvements to the approaches and the building of bath houses should be left to the commission

having the reservation in its charge to develop as public convenience and necessity may demand.

CONCLUSIONS.

The Commission unanimously agrees that the public does not have legal access to the seacoast at a sufficient number of points along the shore, and that Salisbury Beach and Duxbury Beach, being about equal distances from the system of metropolitan beaches, and convenient to the centers of population in their respective districts are the best and most logical places to establish reservations to better accommodate the public.

We feel that it is right and proper for the State to provide for its citizens public recreational facilities which they cannot provide for themselves, when that involves the acquiring and development of parts of the seashore, which is the most beautiful natural advantage with which the State has been endowed, and when the benefits are so easily available to the whole State.

We believe that the State should assume the expense which will result in health and happiness to its citizens.

It is, we think, an injustice to require the towns and cities on the Atlantic coast to supply reservations for recreation that are to be enjoyed by people who can now come from such great distances.

The commission has faith in the success of reservations, and believes there will be a demand for more as the citizens realize their value. We do not think it feasible to appoint a separate commission for each beach, but recommend that a division of reservations be established within the Department of Conservation, with a director and two associates to be appointed by the Governor. The question of maintenance should properly be left to the discretion of the commission to be established.

The question of policing might well be cared for by the Department of Public Safety through its well-organized State Constabulary, which already has barracks in the immediate vicinity.

The commission unqualifiedly recommends and approves the establishing of beach reservations, and believes that the details

should be left in the hands of the commission to be established. There will be found a bill appended to this report which we believe would carry out the recommendations of this Commission.

WALTER SHUEBRUK, *Chairman.*

GEORGE M. WEBBER.

ERNEST W. HASKELL, *Vice-Chairman.*

THOMAS J. LANE, *Clerk.*

CARL A. WOEKEL.

HERBERT W. URQUHART.

ERNEST H. SPARRELL.

rons prepared for the Salisbury
tions Commission by Morse &
t, Boston, Mass., 1928.

submitted,

MORSE & DICKINSON.

By D. H. DICKINSON.

REPORT OF THE ENGINEER ON DUXBURY BEACH.

The Salisbury Beach and Duxbury Beach Reservations Commission.

GENTLEMEN: — I submit herewith my report on the proposed Duxbury Beach Reservation. References accompanying the report, and a part of it, are the following documents:¹

REFERENCES.

1. Map of Duxbury Beach and Duxbury Marshes on a scale of 1 in 5,000, showing the proposed reservation, road, and some details of the topography, referred to in the report as the "map."
2. The U. S. C. & G. S. Chart No. 245 of Duxbury Bay, showing the general location of the proposed reservation, the approaches, and the surrounding territory, referred to in the report as the "chart."
3. Copies of the assessors' plans of the town of Duxbury covering the land included in the reservation.
4. Estimate of land values.
5. Estimate of cost of road and bridge and approaches.

DESCRIPTION OF RESERVATION.

The proposed reservation is a tract of about 782 acres of beach and salt meadow in Duxbury and Marshfield, of which about 730 acres lie in Duxbury and the balance a narrow strip in Marshfield. Of the total area, about 242 acres is beach covered with sparse beach grass and some small scrub. The balance is salt marsh and meadow which is submerged on the high course tides. Near the northern end is a low drumlin about 30 feet high, thickly clad with scrub growth, and known as the Hummock, and on the southern boundary is a range of high sand dunes known as the Plum Hills. With these exceptions the beach varies between 6 and 10 feet above high water, usually marked by a typical tide beach ridge. The ocean beach is probably one of the best beaches on the Massachusetts coast, as it is composed of a fine, white, hard-packed sand.

¹ On file in the office of the clerk of the House.

Throughout the approximate 4 miles of ocean beach in the proposed reservation it has an average width of 100 yards at low water, and at high tide the beach ridge is 25 to 30 yards beyond the water line. A feature of Duxbury Beach, possessed by few if any beaches on the Massachusetts coast, is the fact that a high tide bathing may be enjoyed in either the ocean or the warmer waters of Duxbury Bay, as the average width of the beach between the high water lines is only about 100 yards.

Bounding the reservation on the bay, or west, side, Beach Channel provides good approach to the shore for boats, and offers excellent facilities for future development of the reservation for various water activities.

The salt meadows in the northerly portion of the reservation are cut by three principal streams, all navigable at high tide. By straightening and deepening the lower reaches of Cut River to connect with Beach Channel near Powder Point bridge, and raising the grade of the salt meadows with the dredged material, it would be practicable to establish an airport for both land and sea planes in one of the most promising locations between Boston and Buzzards Bay or the south side of Cape Cod.

The raising of the grade of the meadows would serve the double purpose of providing channels and usable land.

BOUNDARIES OF THE RESERVATION.

No attempt was made at this time to establish the boundaries of the proposed reservation on the ground, this being left for later precise location. The general boundary line is, however, fairly definite, and is described as follows:

The reservation shall be all the area included within the boundary line as hereafter described, with such exceptions as are noted:

Beginning at a point in the boundary line between the towns of Marshfield and Duxbury, and on the easterly side of Gurnet Road, said point being assumed to be a stone bound now located in the aforesaid position, approximately, thence following the easterly side of Gurnet Road as laid out by the town of Duxbury southerly to an intersection with the easterly side of that portion of Gurnet Road which is a straight line to the Hum-

mock, as described in town of Duxbury records, thence at right angles to this portion of Gurnet Road in an easterly direction to a point 40 feet distant from the westerly side of this same portion of Gurnet Road;

Thence southerly in a line parallel to the westerly side of Gurnet Road and distant 40 feet therefrom to an intersection with the northerly boundary of the land of the Ocean Telegraph Company (Western Union Telegraph Company) at Rouses' Hummock;

Thence easterly in the aforesaid northerly boundary of the land of the Ocean Telegraph Company to its intersection with the mean low tide contour in Massachusetts Bay on Duxbury Beach;

Thence southerly along said mean low tide contour to its intersection with the boundary line between the towns of Duxbury and Plymouth;

Thence westerly in said town boundary to its intersection with the mean low tide contour in Duxbury Bay;

Thence following said mean low tide contour in Duxbury Bay to its intersection at point C with the line AB on the map, said line AB being described hereafter;

Thence following said line AB to its intersection with the same mean low tide contour in Duxbury Bay at point A on the map, said point A being approximately 100 rods distant from mean high water in Duxbury Bay beyond the mouth of High Pines Creek;

Thence following the mean low tide contour of the easterly side of Beach Channel to and under Powder Point bridge, continuing in same mean low tide contour as it becomes the northerly or left bank of Back River, and continuing in same mean low tide contour to its intersection with the center line of Little Wood Island River produced west of Soule's Island;

Thence upstream in the center line of Little Wood Island River to its intersection with a line in Marshfield parallel to the Marshfield-Duxbury town boundary and distant therefrom 400 feet northerly;

Thence in said line parallel to and distant 400 feet from the Marshfield-Duxbury boundary to its intersection with a line making an angle of ninety degrees with the town boundary

line and passing through the stone bound at the point of beginning, thence in said normal line to the point of beginning.

Certain parcels of land shown on the Duxbury assessors' plans in Block U and numbered as Webster Island lots, numbers twenty-six, twenty-seven, twenty-seven A, twenty-eight, twenty-nine A, twenty-nine B, thirty, thirty-one, thirty-one A, thirty-two, thirty-three, thirty-four, thirty-four A, thirty-five, ninety-nine and one hundred shall be excluded from the area described by the foregoing boundary.

All of Powder Point bridge shall be included in this taking and shall be removed by the Commission.

The Western Union Telegraph Company shall have all necessary rights to enable it to maintain in operation its cable within the area described by the foregoing boundary.

Line AB is a line which on the chart and map is tangent to the ends of four curves in the mean low water line, one being off High Pines Marsh and the other three being in the peculiar formation of inlets south of High Pines Marsh. This line AB intersects the Duxbury-Plymouth line at a point approximately 1,650 feet from Duxbury-Plymouth Witness Monument No. 1 (U. S. C. S.) and its true bearing is approximately N. 36° 29' W.

Definite reasons exist for establishing certain portions of the boundary. The northerly boundary was fixed parallel to the town boundary for geographical reasons, and 400 feet distant in order to include and control the approaches to Rainbow bridge and to include the bends in Little Wood Island River.

The boundary follows the easterly side of Gurnet Road in order to include and control the road, the approach to the reservation. At the north end of the straight stretch of Gurnet Road the line is offset sufficient to provide a 40-foot road measured from the west side line. Widening toward the west is not recommended, as the houses on this side have a setback of only about 15 feet. The houses and lots on the west side noted as omitted from the reservation have an assessed value of approximately \$30,000, and their inclusion is considered to be unnecessary and too expensive.

The boundary is drawn to include all of the Hummock, although the estimate of land costs includes only about one acre, sufficient for the road taking over or around the hill. It is probable, however, that the whole of the land of the Cable

Company can be obtained for the sum noted at the end of the estimate, provided certain rights are reserved to the Cable Company. There would be a certain advantage to the company in having their cable entirely in the land of the Commonwealth. The taking of the whole Hummock is recommended. The remainder of the boundary follows natural lines (and the town boundaries) and can be located on the ground with sufficient accuracy.

The reasons for the inclusion of all of Powder Point bridge are obvious.

The salt meadow was included out to Little Wood Island River because its potential value to the State is greater than the comparatively slight additional cost to the rest of the proposed reservation.

THE LAND.

The estimated value of the land in Duxbury was obtained from the Duxbury assessors' plans and records, and while the value of each individual parcel was not taken, enough were obtained to establish typical groups. The town of Marshfield has no assessors' plans.

Remarkable discrepancies were found in the values per acre, but no attempt was made to adjust values. It is to be particularly noted that the value placed on the land held by the Duxbury Beach Associates is quite high by comparison with adjacent holdings. One is inclined to believe that negotiations should reduce the cost of the land below the figures shown in the accompanying estimates.

The inclusion of all of the Hummock in the reservation is recommended. With the road passing over the hill one of the summits could be improved later for the siting of a headquarters building from which the whole reservation could be seen.

The estimate of land values will show the data in detail.

RAINBOW BRIDGE.

Rainbow bridge may be considered the gate to the reservation. With the bridge in the reservation the northern boundary across the marsh is logically fixed; without the bridge in the reservation there is no reason in going beyond the town line.

The inclusion of the bridge in the reservation is logical; it provides the control of the reservation the State should have. The bridge must be rebuilt. It is badly out of repair and could not withstand the traffic that would pass over it. It is also too narrow. The parts of the abutments and wing walls exposed to view appear in good condition, except for pointing. A new deck must be built and it should be widened to 26 feet between curbs. This may necessitate lengthening the abutments. The estimate covers extension of the abutments, a new deck of the beam and slab type of reinforced concrete, pointing the old walls, and some necessary excavations and shore protection. As this bridge would be used by residents along Duxbury and Green Harbor beaches, the cost should be shared by the towns and possibly the county.

ROAD.

A reservation established for a needed purpose and worthy cause would be of little value without an adequate means of access. The need of a road is obvious. A type and length of road has been suggested that should meet immediate needs. This road begins at Rainbow bridge and extends to the vicinity of the present Powder Point bridge on the beach. The first two sections (A and B) are the present Gurnet Road reconstructed and resurfaced. The portion of Gurnet Road from the bridge to the corner of the straight section will have to be raised in places to get above the high course tides if it is to stand up under the traffic reasonably to be expected. The straight stretch (see B) will have to be resurfaced and widened. Beyond the end of this stretch, that is, from the Hummock south, there is no road, only a trail, and new construction is necessary.

The estimates cover a road with 20-foot surfaces, 3-foot shoulders and following approximately Massachusetts highway standards of construction. Two types are recommended, — one a typical gravel road with a surface treatment of asphalt or tar, the other a gravel base with a 4-inch bituminous concrete surface. Fills are made with near-by local material.

Where the present ground is below Elev. 14 the grade of the road is established at Elev. 14. Subsequent development of the reservation should provide for having the road surface everywhere not lower than Elev. 15.

The road passes over the saddle of the Hummock at about Elev. 20 in a cut of 40-foot bottom width with gradients each way of 3 per cent.

The alternate route around the hill is at Elev. 15 in a side hill cut, the road being widened to 24 feet on the curve, with standard 6-foot shoulder and a 10-foot widening into the hill to get material.

Excessive excavation of the Hummock for road filling is not recommended. The Hummock in its present position is of greater value to the future reservation than if it were to be spread out in a road.

The road down the beach from the Hummock is a map location. Slight changes may appear advisable when laid out on the ground, but it is doubtful if any savings worth while can be made to warrant abandoning the straight line.

PARKING SPACE.

Cars should not be parked on the side of a 20-foot road subject to congested traffic. They must be parked somewhere. Probably 90 per cent of the people who use the beach will come in cars. Therefore, parking spaces are recommended. Two have been laid out, one about 2,300 feet long at the southern end of the road, where most of the people will go, and another about 900 feet long, near Pine Point. They are surfaced with gravel and given a bituminous treatment.

APPROACHES — CARESWELL STREET

The approach to the reservation by way of Rainbow bridge is Canal Street and Careswell Street in Marshfield. The latter joins the State road at Cox's Corner in Duxbury, a distance of 2.8 miles from Rainbow bridge.

At present Canal Street is surfaced about 15 feet wide and needs repairing. Careswell Street is about 18 feet wide and in fair condition, but with the advent of heavy traffic will need resurfacing. The estimate provides for widening Canal Street to 20 feet and resurfacing both Canal and Careswell streets with a surface treatment of sand and asphalt or tar. The cost should be shared by the county and the towns, as both roads are extensively used to reach other localities.

POWDER POINT BRIDGE.

The greater use of the beach at present is divided between a stretch near the Hummock and the portion extending a half a mile either way from the end of Powder Point bridge. Probably the most used approach to the beach is the bridge, and it is, almost without exception, the only approach used by those going to the several gunning stands south of the bridge or to the Gurnet. It is the principal land approach to the government stations at the Gurnet; in fact, one of the primary reasons for its construction more than forty years ago was to provide a shorter route from the mainland to the lighthouse and life-saving stations. The structure is a typical pile bent bridge with wood deck, and is almost exactly one-half mile long. Actions of ice and tide have distorted the structure in places, and annual repairs are necessary. Considering its age and the excessive impact of automobile traffic it has sustained in the past ten or fifteen years, it may be said to be unexpectedly safe, although this comparative degree of safety is rapidly decreasing.

It is reasonable to expect that the bridge cannot sustain much longer the amount of traffic it has received during the past two summers. If it is retained as a highway bridge it should have extensive repairs beyond those recently completed. If it is closed to general automobile traffic and used under some arrangement permitting only local people who have business on the beach to travel over it, or if it is retained as a bridge for horse-drawn or foot traffic only, it will suffice such needs for some time.

The cost of removal can be approximated only. The salvage value is hypothetical; it is no greater than the existing need for the material in the bridge. It would probably cost at least \$5,000 completely to remove the material and leave it in condition for future use. Unless a definite need for the material was known to exist, the most economical use might be for the Commission, which will subsequently administer the reservation, to use the material for revetment, shore protection, light bulkheads, small piers or bridges across the various streams cutting the reservation.

The estimated cost of the project may be summarized approximately as follows:

Cost of land	\$41,000
Cost of road and bridge	58,000
	<hr/>
	\$99,000

Powder Point bridge can be removed for approximately \$5,000, not including cost of cleaning and moving material away.

This estimate is for a 4-inch bituminous concrete road. A gravel road with surface treatment could be built for approximately \$30,000 with \$3,500 additional for Rainbow bridge.

GEORGE C. CAPELLE,
Engineer.